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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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KODY DWAYNE ARDOIN,

Movant,

*versus*

UNITED STATES OF AMERICA,

Respondent.

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CIVIL ACTION NO. 1:19-CV-180

**MEMORANDUM ORDER ADOPTING THE  
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Movant, Kody Dwayne Ardoin, an inmate currently confined at FCI Oakdale, proceeding *pro se*, filed this motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends denying the motion to vacate, set aside, or correct sentence.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, and pleadings (docket entry no. 9). No objections to the Report and Recommendation have been filed to date. Movant did, however, file a Motion to Voluntarily Dismiss (docket entry no. 10).

**ORDER**

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **PARTIALLY ADOPTED** to the extent it recommends

dismissal. A Final Judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

**Signed this date**

**Aug 30, 2021**

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE